



House of Representatives

General Assembly

File No. 640

January Session, 2017

House Bill No. 7262

House of Representatives, April 18, 2017

The Committee on Judiciary reported through REP. TONG of the 147th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING THE RECOMMENDATIONS OF THE
CONNECTICUT SENTENCING COMMISSION WITH RESPECT TO
VICTIM NOTIFICATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2017*) Whenever a defendant
2 convicted of one or more crimes receives a definite sentence of more
3 than a two-year term of imprisonment, or a total effective sentence of
4 more than a two-year term of imprisonment, the court shall, at
5 sentencing, indicate: (1) The maximum period of imprisonment that
6 may apply to the defendant; (2) whether the defendant may be eligible
7 to earn risk reduction credits pursuant to section 18-98e of the general
8 statutes; and (3) whether the defendant may be eligible to apply for
9 release on parole pursuant to section 54-125a of the general statutes.

10 Sec. 2. Subsection (d) of section 54-91c of the general statutes is
11 repealed and the following is substituted in lieu thereof (*Effective*
12 *October 1, 2017*):

13 (d) Upon the request of a victim, prior to the acceptance by the court
 14 of a plea of a defendant pursuant to a proposed plea agreement, the
 15 state's attorney, assistant state's attorney or deputy assistant state's
 16 attorney in charge of the case shall provide such victim with the terms
 17 of such proposed plea agreement in writing. If the terms of the
 18 proposed plea agreement provide for a term of imprisonment which is
 19 more than two years or a total effective sentence of more than a two-
 20 year term of imprisonment, the state's attorney, assistant state's
 21 attorney or deputy assistant state's attorney in charge of the case shall
 22 indicate: (1) The maximum period of imprisonment that may apply to
 23 the defendant; (2) whether the defendant may be eligible to earn risk
 24 reduction credits pursuant to section 18-98e; and (3) whether the
 25 defendant may be eligible to apply for release on parole pursuant to
 26 section 54-125a.

27 Sec. 3. (NEW) (*Effective October 1, 2017*) The Department of
 28 Correction shall make publically available general offender sentencing
 29 information. Such information shall include: (1) The inmate release
 30 mechanisms under the authority of the department; (2) information on
 31 presentence confinement credit and application pursuant to section 18-
 32 98d of the general statutes; (3) information on the eligibility and
 33 application of risk reduction credits earned pursuant to section 18-98e
 34 of the general statutes; (4) the standards for eligibility for parole; (5)
 35 the state-wide automated victim information and notification system
 36 established under section 54-235 of the general statutes; and (6) any
 37 other information the Commissioner of Correction deems pertinent.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017</i>	New section
Sec. 2	<i>October 1, 2017</i>	54-91c(d)
Sec. 3	<i>October 1, 2017</i>	New section

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

There is no fiscal impact associated with requiring courts to provide information at sentencing or with requiring the Department of Correction to make general sentencing information available.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**HB-7262*****AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION WITH RESPECT TO VICTIM NOTIFICATION.*****SUMMARY**

This bill expands the information available to crime victims for sentencing and proposed plea bargains. Under the state constitution, crime victims have a right to notification of court proceedings and information about the arrest, conviction, sentence, imprisonment, and release of the accused (CGS Const. Art 1, § 8(b)).

The bill establishes specific information a court must indicate at sentencing when a convicted defendant receives a definite or total effective sentence of more than two years imprisonment. The court must indicate:

1. the maximum period of imprisonment that may apply to the defendant,
2. whether the defendant may be eligible to earn risk reduction credits, and
3. whether the defendant may be eligible to apply for release on parole.

The bill also requires the state's attorney, assistant state's attorney, or deputy assistant state's attorney in charge of a case to make these same indications, if the terms of a proposed plea agreement provide for the same term of imprisonment stated above. By law, upon the request of a victim, prior to the acceptance by the court of a defendant's plea agreement, such state's attorney must provide the victim with the terms of the proposed plea agreement in writing.

The bill also requires the Department of Correction (DOC) to make general offender sentencing information available to the public (e.g., information on the eligibility and application of earned risk reduction credits).

EFFECTIVE DATE: October 1, 2017

GENERAL OFFENDER SENTENCING INFORMATION

Under the bill, DOC must make general offender sentencing information available to the public. This must include:

1. the inmate release mechanisms under the department's authority;
2. presentence confinement credit and application information;
3. the eligibility and application of risk reduction credits earned;
4. parole eligibility standards;
5. the state-wide automated victim information and notification system (CT SAVIN); and
6. any other information the commissioner deems pertinent.

CT SAVIN

The Judicial Branch's statewide automated victim information and notification system (CT SAVIN) is a fully automated service that helps keep crime victims and interested individuals informed of the progress of offender cases through the Connecticut criminal court process.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 39 Nay 0 (04/04/2017)